

**DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
Friday, April 13, 2007**

Yakima Valley Farmworker's Clinic – Children's Village
Yakima, WA

Members Present:

Mark Koday, DDS, Chair
Pramod K. Sinha, DDS, Vice Chair
Abdul Alkezweeny, PhD., Public Member
Padmaraj Angolkar, DDS
Karen Homitz, DDS
Bernard Nelson, Public Member

Lorin D. Peterson, DDS
Fred Quarnstrom, DDS
Jessica Saepoff, DDS
Russell B. Timms DDS
Marshall H. Titus, DDS

Members Absent:

John Davis, DDS, JD
Robert Faine, DDS
Terry Hauck, MD, DDS

Staff Present:

Lisa Anderson, Health Service Consultant 3
Program Management
Deonna Chartrey, Health Service Consultant 1
Program Support Manager
Kim Dinsmore, Compliance Officer
Joy King, Executive Director
Peggy Owen, Disciplinary
Don Painter, Assistant Chief Investigator
Investigations Services Unit

Taylor Stair, Health Service Consultant 3
Case Management Unit
Mickey Wardell, Health Service Consultant 1
Program Manager
Sandra Adix, Assistant Attorney General
Trent Kelly, Supervising Staff Attorney, DOH
Mark Triplett, Staff Attorney, DOH
Elyette Weinstein, Staff Attorney, DOH

Others Present:

David Hemion, Assistant Executive Director – Washington State Dental Association (WSDA)

OPEN SESSION – 8:30 a.m.

1. CALL TO ORDER – Mark Koday, DDS, Chair called the meeting to order at 8:47 a.m.

- 1.1. Introduction of Audience – The audience introduced themselves.
- 1.2. Ms. Taylor Stair introduced herself as the new Case Management Unit Manager. Don Painter, Assistant Chief Investigator also introduced himself.
- 1.3. Approval of Business Meeting Agenda – The agenda was approved as presented.
- 1.4. Approval of the February 8, 2007 business meeting minutes – The February 8, 2007 business meeting minutes were approved as presented.
- 1.5. Approval of the February 9, 2007 Panel A & B minutes – The February 9, 2007 Panel A & B minutes were approved as presented.
- 1.6. Approval of the March 13, 2007 Disciplinary Hearing Minutes – The March 13, 2007 Disciplinary Hearing Minutes were approved as presented.

2. PRESENTATIONS

- 2.1. Trent Kelly, Supervising Staff Attorney, Department of Health (DOH), Legal Service Unit (LSU), provided information related to Sanctions Guidelines. A PowerPoint presentation handout was given to the commission to follow while an informative presentation was given by Mr. Kelly. The purpose of the guidelines is to try to achieve a framework that is consistent and practical, fair and flexible to use in the disciplinary process for all health professions. The Commission was asked to review the Sanctioning Guidelines and be prepared to make a final decision at the June 7, 2007 DQAC Business Meeting.
- 2.2. Don Painter, Assistant Chief Investigator, HSQA, DOH, gave PowerPoint presentation on the possibility/use of digital reproduction of X-rays. The Commission was also given a handout of the Infection Control Inspection Report. While the Commission had various requests for changes, it was motioned to further review the document for any additional changes and present a final draft at the June 7, 2007 DQAC business meeting.

3. CLOSED SESSION – EXECUTIVE SESSION

- 3.1. The term “executive session” is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a-k), and only during a regular or special meeting.

4. OPEN SESSION – ACTION ITEM

- 4.1. Sandra Adix, Assistant Attorney General – Status of Sexual Misconduct Rule WAC 246-817-450 & 460 –
Ms. Adix explained the concerns with the Sexual Misconduct rules package in that the department has noted significant changes were made at the formal rules hearing which, Under the Administrative Procedures Act, should have generated a refiling of the rules

for additional public review and comment. The Commission adopted a motion directing staff to file an amended CR102 rules package and anticipates another rules hearing on this topic as soon as possible.

5. PROGRAM REPORT – Joy King, Executive Director; Lisa Anderson, Health Services Consultant; Taylor Stair, Disciplinary Manager; Staff Attorneys.

- 5.1. Budget Report – the February 2007 interim operating reports were provided to the Commission. Lisa Anderson reported that the budget deficit continues.
- 5.2. Legislation
 - ESHB1099 – Regulating certain dental professions – Dental Assistants and Expanded Function Dental Auxiliaries – appears to be moving through the legislature and is expected to be adopted.
 - HB1298 – Regarding dental hygienist employment by health care facilities and sealant programs in schools and senior centers – this bill has passed through to the Governor for signature.
 - HB1103 – Concerning health professions – Revised for 1st Substitute: Increasing the authority of regulators to remove health care practitioners who pose a risk to the public – This bill is no longer in process, however language from it may be “attached” to other legislation that is still pending.
 - ESHB1414 – Ambulatory Surgical Facilities – This bill has passed through the Senate although dentistry has been removed
- 5.3. Staff Updates – Ms. Taylor Stair was introduced as the new (non-permanent) Case Management Unit Manager. Ms. Stair replaces Ms. Erin Obenland who has accepted a permanent position as the Case Management Manager for the Medical Quality Assurance Commission (MQAC) – The hiring of a non-permanent credentialing manager for Section 3 is currently in progress.
- 5.4. Memorandum of Understanding with University of Washington regarding remediation/skills assessments – Ms. Stair reported that Dr. Davis has corresponded with the University of Washington, revisions to the MOU are being made, and Dr. Davis is expecting to hear back in the near future.
- 5.5. Delegation of Signature Authority – The Commission approved amendment of the Delegation of Signature Authority document to authorize Ms. Stair signature authority for the Dental Quality Assurance Commission.
- 5.6. Dental Quality Assurance Commission recruitment efforts – Ms. Anderson reported that the recruitment package had been finalized and submitted to the Governor’s office for consideration. Ms. Anderson also reported that Mr. Abdul Alkezweeny has been appointed to a second 4-year term with the Commission, ending June 30, 2011.

6. RULE MAKING

- 6.1. Dental Anesthesia Related Rules – Lisa Anderson, Program Manager, presented DQAC Members with the Anesthesia Rule Update – WAC 246-817-700’s and WAC 246-817-170, 175 and 180. No additional progress has been made on this group of rules however

a CR-101 has to be filed to relocate WACs 246-817-170 and 175 to the 700 series before proceeding further.

- 6.2. License Without Examination (LWOE) Related Rules – A handout providing a draft language was provided. Draft rule language was distributed for review and comment. Dr. Peterson will review and provide comment back to the staff as to the completeness of this draft language.
- 6.3. SHB1689 – PGY-1 Dental Residency Pilot – A revised handout of draft guidelines was provided to the Commission – It was motioned to accept the PGY-1 subcommittee recommendations and to authorize staff to proceed with formal rulemaking

7. AMERICAN DENTAL ASSOCIATION, AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS, AMERICAN ASSOCIATION OF DENTAL EXAMINERS, DENTAL ASSISTANT NATIONAL BOARDS, NATIONAL PRACTITIONER DATA BANK

- 7.1. The Bulletin – AADE – Winter 2007 – Provided to the Commission for information only.
- 7.2. AADE Mid-year Meeting – Educators Forum – Elyette Weinstein, Staff Attorney & Marshall Titus, DDS provided handouts and reported to the Commission. Dr. Titus stated this was a very good meeting. Ms. Weinstein reported on the round table and stated that Washington is one of the few states to report upon action being taken. Also, Ms. Weinstein informed of a Medicaid Billing Fraud case stating that Washington was the first state in the country to follow through with a legal case; the case is currently in appeal. Ms. Weinstein strongly encouraged AAG participation at the next round table meeting.

8. REGIONAL BOARD UPDATES

- 8.1. Western Regional Examination Board (WREB) Newsletter – Winter 2007 – Examinations – Provided to the Commission for information only.
 - 8.1.a. WREB Board of Directors Meeting in July – Marshall Titus, DDS was formally nominated to replace Dr. John Davis in representing the Dental Quality Assurance Commission on the WREB Board of Directors (BOD)/Examination Review Committee (ERC). Dr. Titus will begin his term in July 2007. Staff will notify Ms. Linda Paul of this change.
 - 8.1.b. WREB Update – Crown preparations – Marshal Titus, DDS reported that the state of Minnesota will no longer accept the WREB examination without the testing of crown preparations. WREB is working on implementing the testing of crown preparations.
- 8.2. Central Regional Dental Testing Service (CRDTS) – Dr. Timms will be attending the CRDTS annual meeting August 23-24, 2007 in Kansas City.
- 8.3. Southern Regional Testing Agency – Provided to the Commission for information only
- 8.4. Northeast Regional Examining Board (NERB) – No new reports
- 8.5. Council of Interstate Testing Agencies (CITA) – No new reports

- 8.5.a. Council of Interstate Testing Agencies (CITA) – Newsletter – March 2007 – Provided to the Commission for information only
- 8.6. Other reports – No other reports were presented.

9. OTHER REPORTS

- 9.1. Dental Organization for Conscious Sedation (DOCS) training course – Jessica Saepoff, DDS and John S. Davis, DDS, JD – Dr. Davis not present at the meeting however Dr. Saepoff reported this course to be very informative and comprehensive and that she gained an extensive amount of new knowledge. Dr. Saepoff highly recommends this training course.

10. CORRESPONDENCE

- 10.1. Letter, dated February 22, 2007, to Ms. Sherin Took, CDA, RDH, MS – Provided to the Commission for information only.
- 10.2. Letter, dated February 22, 2007, to Mr. Terre Harris, CEO, Harris Biomedical – Provided to the Commission for information only.
- 10.3. DOCS Promotional Materials – Provided to the Commission for information only
 - 10.3.a. Letter, dated April 3, 2007, from Michael D. Silverman, DMD, President, Dental Organization for Conscious Sedation (DOCS), Seattle Seminar – Provided to the Commission for information only
- 10.4. Letter, dated March 8, 2007, from Mary-Lou A. Misrahy, ARM, President and CEO, Physicians Insurance, regarding Sale of Northwest Dentists Insurance Company (NORDIC), a subsidiary of Physicians Insurance – Provided to the Commission for information only.
- 10.5. Letter, dated March 5, 2007, from Vijay Fadia, President, Homesteads Schools, Inc. – Requesting to be approved for list/labels to offer Continuing Education – It was motioned to approve this request.
- 10.6. Letter, dated March 26, 2007, from Dr. Rhonda R. Savage, President, Washington State Dental Association (WSDA) – Invitation to Drs. Koday and Sinha to attend WSDA's annual House of Delegates meeting – September 6-8, 2007, Vancouver, WA
- 10.7. Letter, dated March 9, 2007, from Marc Balson, DDS, President, American Association of Endodontists (AAE) – regarding Endodontic Case Difficulty Assessment Form – This document provides guidance as to when it is proper to refer a patient for specialty service.

11. CONSENT AGENDA

In an effort to streamline the size of meeting packets, consent agenda items are provided via email upon request.

- 11.1. DOH News Release – Medical Quality Assurance Commission (MQAC) Laser Rules
- 11.2. DOH Biennial update to fees for RCW 70.02.010 – Medical Records
- 11.3. Minnesota Newsletter -March 2007

- 11.4. Maximum cumulative doses of sedation medications for in-office use
- 11.5. Article – Consumer Health Digest – Leading “NICO” proponent gets five years probation – Several commissioners enjoy receiving the consent agenda for information only.

12. FUTURE COMMISSION BUSINESS

The 2008 DQAC business meeting schedule will be set at the June 7, 2007 Business Meeting.

L&I/WISHA presentation – June 2007

13. BUSINESS MEETING ADJOURNMENT

With no further business the meeting was adjourned at 1:35 p.m. Disciplinary panels will begin at 2:00 p.m. on Friday, February 13, 2007.

Respectfully Submitted By:

Deonna Chartrey, Health Service Consultant I

Commission Approval By:

Mark Koday, DDS, Chair